

OCT. 25. 2005 10:36AM

STEINBERG & RASKIN

NO. 757 P. 1

IFW



932.1287

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Applicants: DALMASES BARJOAN, Pere et al.  
Serial No.: 10/527,127  
Filing Date: March 8, 2005  
Title: PROCESS FOR PREPARING ZOLMITRIPTAN  
COMPOUNDS

**REQUEST FOR CORRECTED FILING RECEIPT**

**Via Facsimile (703) 746-9195**

October 25, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn.: Office of Initial Patent Examination  
Customer Service Center

Dear Sir/Madam:

Applicant respectfully requests that a corrected filing receipt be issued in connection with the above-identified patent application. Specifically, as indicated in the enclosed marked-up copy of the filing receipt, the last name of the second inventor should be set forth as "Pere Dalmases Barjoan" instead of as "Pere Dalmanases Barjoan", without the letter "n" in the word "Dalmases". In addition, the PCT Application Number should be set forth as "PCT/IB2003/003536".

It is respectfully advised that the second inventor's last name had been set forth as above in the Declaration and Power of Attorney as filed, and accordingly it is submitted that correction is appropriate. A copy of the Declaration and Power of Attorney as filed is enclosed herewith for your reference.

I hereby certify that this correspondence is being  
facsimile transmitted to the U.S. Patent and  
Trademark Office on October 25, 2005.

STEINBERG & RASKIN, P.C.

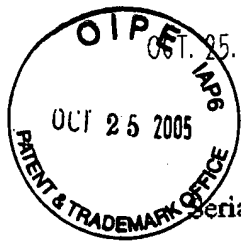
By: 

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STEINBERG & RASKIN

NO. 757 P. 2



Serial No.: 10/527,127

Further, the PCT Application Number had been set forth as above in the Letter Re Priority as filed. A copy of the Letter Re Priority as filed is also enclosed herewith for your reference.

It is respectfully requested that the corrections be entered into the record and that a corrected filing receipt be forwarded to us at your earliest convenience.

Respectfully submitted,

STEINBERG & RASKIN, P.C.

By:

Dona C. Edwards  
Reg. No. 42,507

STEINBERG & RASKIN, P.C.  
1140 Avenue of the Americas, 15th Floor  
New York, NY 10036-5803  
Telephone: (212) 768-3800  
Facsimile: (212) 382-2124  
E-mail: pto@steinbergaskin.com

DCE:jc

Encls.

cc: Martin G. Raskin, Esq. (w/o encls.)

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STEINBERG &amp; RASKIN

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/527,127	03/08/2005	1626	1430	932.1287		10	5

21831  
STEINBERG & RASKIN, P.C.  
1140 AVENUE OF THE AMERICAS, 15th FLOOR  
NEW YORK, NY 10036-5803

CONFIRMATION NO. 9982

## FILING RECEIPT

1140 AVENUE OF THE AMERICAS, 15th FLOOR  
NEW YORK, NY 10036-5803  
\*OC00000017216400\*

Date Mailed: 10/11/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Montserrat Armengol Asparo, Sant Joan Despi, SPAIN;  
Pere Dalmau Barjoan, Sant Feliu De Llobregat, SPAIN;

→ Dalmau

Power of Attorney: The patent practitioners associated with Customer Number 21831.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB03/03536 08/05/2003

→ PCT/IB2003/003536

## Foreign Applications

SPAIN P200201873 08/07/2002

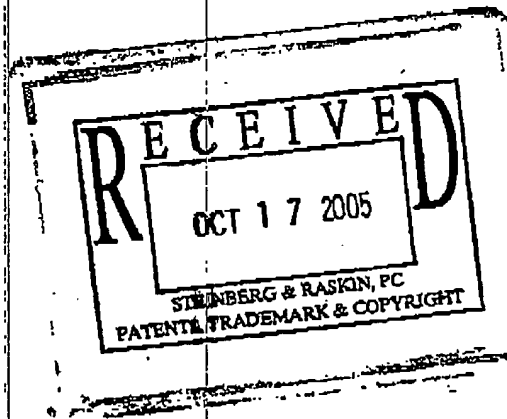
Projected Publication Date: 01/19/2006

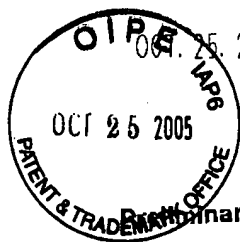
Non-Publication Request: No

Early Publication Request: No

## Title

Process for preparing zolmitriptan compounds





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NO. 757 Pag. 4f3

Patent & Trademark Office  
Primary Class  
548

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject



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matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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NO. 757 P. 6

Our Ref.: 932.1287

**DECLARATION AND POWER OF ATTORNEY FOR  
UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

- ☒ Declaration submitted with initial filing  
☐ Declaration submitted after initial filing (surcharge (37 CFR 1.6(e) required))

First Named Inventor: Pere DALMASES BARJOAN

COMPLETE IF KNOWN:

Application Number: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

Examiner Name: \_\_\_\_\_

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS OR PREPARING ZOLMITRIPTAN COMPOUNDS

(Title of the Invention)

the specification of which

☒ is attached hereto

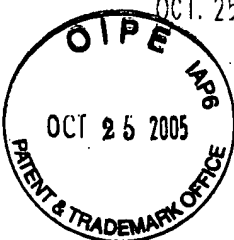
OR

☐ was filed on (MM/DD/YY) \_\_\_\_\_ as United States Application Number or PCT  
International Application Number \_\_\_\_\_ and was amended on (MM/DD/YY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability of this application as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
P-200201873	Spain	August 7, 2002			X



I hereby claim the benefit under 35 U.S.C. 119(c) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YY)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YY)	Parent Patent Number (if applicable)

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 21831

Direct all correspondence to:

☒ Customer Number 21831

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF INVENTOR:

Given Name (first and middle (if any)) Family Name or Surname

Montserrat

ARMENGOL ASPARO

Inventor's Signature [Signature]

Date February 24, 2005

Residence:

Country ES Citizenship Spanish

Post Office Address: Av. Barcelona, 69; 08970 SANT JOAN DESPI (ES)

OCT. 25. 2005 10:38AM

STEINBERG & RASKIN

NO. 757 P. 8



NAME OF INVENTOR:

Given Name (first and middle [if any])

Family Name or Surname

Pere

DALMASES BARIJOAN

Inventor's Signature

Date February 24, 2005

Residence:

Country ES Citizenship Spanish

Post Office Address: C. Pi Margall 7, 1; 08980 SANT FELIU DE LLOBREGAT (ES)





932.1287

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Pere DALMASES BARJOAN, et al.  
Serial No.: Not yet known  
Filed: Herewith  
For: PROCESS FOR PREPARING ZOLMITRIPTAN  
COMPOUNDS

**LETTER RE PRIORITY**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

March 8, 2005

Dear Sir:

Applicant hereby claims the priority of Spanish Patent Application No. P-200201873 filed August 7, 2002 through International Patent Application No. PCT/IB2003/003536 filed August 5, 2003. We also enclose herewith a verified English translation of the priority document.

Respectfully submitted,

By:

Dona C. Edwards  
Reg. No. 42,507

Steinberg & Raskin, P.C.  
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